

JUL 13 2005

PATENT APPLICATION  
Docket No: 15581.10.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Simon J. Lewis

Serial No.:

10/698,864

) Art Unit

) 2837

Filing Date:

October 31, 2003

Confirmation No.:

2003

For:

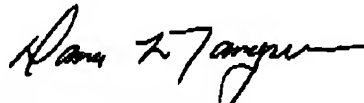
MUFFLER WITH SPARK ARRESTOR

**CERTIFICATE OF TRANSMISSION BY FACSIMILE**

I hereby certify that the following documents are being facsimile transmitted to United States Patent and Trademark Office at Fax No. 703.872.9306, on the 13<sup>th</sup> day of July 2005.

- Transmittal for Information Disclosure Statement (3 pages)
- Information Disclosure Statement (2 pages)
- Form PTO-1449 listing 9 references (2 pages)
- Postcard

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
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**PATENT APPLICATION**  
Docket No: 15581.10.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of**

**Simon J. Lewis**

Serial No.: 10/698,864

**Filing Date:** October 31, 2003

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For: **MUFFLER WITH SPARK ARRESTOR**

Art Unit  
2837



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## TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

**Statement of relevance of selected cited references not in the English language which are not translated.**

**Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.**

Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

July 13, 2005  
Page 2

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 9 references submitted for consideration.
- \_\_\_ Copies of \_\_\_ of the references listed on the Form PTO-1449.
- \_\_\_ English translations of \_\_\_ (\_\_\_) of the references listed on the Form PTO-1449 which are not in the English language.
- \_\_\_ Copies of the following documents from the prosecution of a previous, related application:
- \_\_\_ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
- \_\_\_ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☒ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. \_\_\_ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
- \_\_\_ Promptness Certification; or
- \_\_\_ Check No. \_\_\_\_\_ in the amount of \_\_\_ constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. \_\_\_ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- \_\_\_ Promptness Certificate;
- \_\_\_ Petition for Consideration; and

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Page 3

- Check No. in the amount of — constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
- IV. — After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- Petition to Withdraw from Issue; and
- Check No. — in the amount of — constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

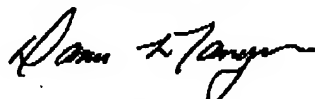
C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178.

- ☒ Any fee required in relation to filing of this letter or any documents transmitted therewith.
- The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).
- The submission fee set forth in 37 C.F.R. § 1.17(p).
- The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 13<sup>th</sup> day of July 2005.

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

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Enclosures  
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## PATENT APPLICATION

Docket No: 15581.10.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Simon J. Lewis

Serial No.: 10/698,864

Filing Date: October 31, 2003

Confirmation No.: 2003

For: MUFFLER WITH SPARK ARRESTOR

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) Art Unit  
) 2837  
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)**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

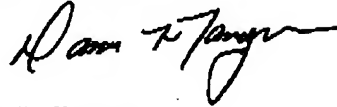
In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof that is not a US patent document is also enclosed.

July 13, 2005  
Page 2

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Dated this 13<sup>th</sup> day of July 2005.

Respectfully submitted,



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Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

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Form PTO-1449

Applicant: Simon J. Lewis

Serial No.: 10/698,864

Filing Date: October 31, 2003

For: MUFFLER WITH SPARK ARRESTOR

Sheet 1 of 2

Confirmation No.: 2003

Att'y Docket No.: 15581.10.1

Art Unit: 2837

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
___ 1	DES 424,492	05/09/2000	Bryant et al.
___ 2	4,239,091	12/16/1980	Negrao
___ 3	4,368,799	01/18/1983	Wagner
___ 4	4,834,214	05/30/1989	Feuling
___ 5	4,993,513	02/19/1991	Inoue et al.
___ 6	5,633,482	05/27/1997	Erion et al.
___ 7	5,831,223	11/03/1998	Kesselring
___ 8	5,992,560	11/30/1999	Matsuoka et al.
___ 9	6,082,487	07/04/2000	Angelo et al.

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
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Other Documents

(including author, title, pertinent pages, etc.)

Examiner  
Initial\*

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Applicant: Simon J. Lewis  
Serial No.: 10/698,864  
Filing Date: October 31, 2003  
For: MUFLER WITH SPARK ARRESTOR

Sheet 2 of 2  
Confirmation No.: 2003  
Att'y Docket No.: 15581.10.1  
Art Unit: 2837

### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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